

COUNTY OF SUFFOLK



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SUFFOLK COUNTY EXECUTIVE

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DEPARTMENT OF LAW

April 11, 2016

Hon. A. Kathleen Tomlinson, U.S.M.J.
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Moroughan v. County of Suffolk, et al.
Index No. CV 12-0512 (JFB)(AKT)

Dear Judge Tomlinson:

This Office represents the Suffolk County defendants in the above referenced action. Pursuant to the Court's order of March 31, 2016, the County defendants wish to advise the Court that we intend to object to the admissibility of the Nassau IAB report on several grounds, among them that it lacks "trustworthiness" as per F.R.E. 803(8)(B). While the County believes there are a number of reasons that the report lacks trustworthiness, we anticipate that the level of Sgt. Distler's "training and experience" will be among the factors to be considered in that making that determination.

I thank the Court for its consideration of this matter.

Respectfully submitted,

DENNIS M. BROWN
Suffolk County Attorney

Brian C. Mitchell
Assistant County Attorney

cc:

All parties (via ECF)